

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, APRIL 20, 1999
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 11:08 a.m. The meeting was recessed by Mayor Golding at 11:12 a.m. to convene the Redevelopment Agency and thereafter the Housing Authority. Mayor Golding reconvened the regular meeting at 11:34 a.m. with all Council Members present. The meeting was recessed by Mayor Golding at 11:35 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Golding at 2:07 p.m. with Council Member Kehoe not present. Mayor Golding adjourned the meeting at 2:26 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

Clerk-Abdelnour (lw/mp)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

NON-AGENDA COMMENT:

PUBLIC COMMENT-1: REFERRED TO CITY MANAGER AND THE BALLPARK
PROJECT MANAGER

Comment by Leslie Wade, representing East Village Association, regarding the need for the City Manager to explore the possibility of creating a position to provide coordinated information to businesses and residents impacted by the 26-block construction project which includes the SDG&E toxic soil remediation, the Convention Center construction, and the ballpark.

Council Member Kehoe requested the City Manager to examine the possibilities or ramifications to be included in that position the idea that communities anywhere in the City could have a point person for questions and concerns about the ballpark. She stated that the Balboa Park Collaborative, a conglomeration of community organizations from Council Districts 2, 3, and 8, have concerns about displacement of problems from the ballpark district to Uptown, Sherman Heights, Golden Hills, and other communities.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A009-038.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Council Member Stallings introduced two young women, Danica Mirrasoul and Keelah Calloway, who adopted her for the day for "Take Your Daughter To Work Day." Ms. Stallings said they wouldn't be able to see what she did on Thursday, so they came today. Their mothers work for Council Member Stallings.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A042-047.)

ITEM-330: Request to Exempt One Assistant Investment Officer Position from the Classified Service.

RETIREMENT ADMINISTRATOR'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-99-105) INTRODUCED AND ADOPTED AS ORDINANCE O-18641
(New Series)

Introduction and adoption of an Ordinance amending Ordinance O-18551 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1998-99 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-18551 to add the position of an Assistant Investment Officer in the Retirement Department and exempting the position from the Classified Service.

CITY MANAGER SUPPORTING INFORMATION:

On January 22, 1999, the San Diego City Employees' Retirement System (SDCERS) Board unanimously approved the Retirement Administrator's recommendation to reclassify the Investment Analyst position (classification #1106, Senior, Senior Management Analyst) to that of Assistant Investment Officer (classification #2256), and that the position be exempt from

classification in accordance with the requirements and intent of Charter Section 117. The reclassification is requested to take effect in fourth quarter FY1999 and as such, the SDCERS Board approved a fourth quarter budget adjustment.

On March 9, 1999, in a memo to the Civil Service Commission via the Personnel Director, the Retirement Board Administrator made a request to exempt one Assistant Investment Officer Position from the Classified Service. Upon review of this request, the Personnel Director, in a memo to the Civil Service Commission dated March 26, 1999, recommended that the reclassification request be approved. Subsequently, the reclassification request was unanimously approved by the Civil Service Commission, on the Consent Agenda, at the April 1, 1999, meeting.

Supporting Documentation

1. "Request to Exempt One Assistant Investment Officer Position from the Classified Service" Memo to the Honorable Mayor and Council from the Personnel Director, dated April 2, 1999.
2. "Request to Exempt One Assistant Investment Officer Position from the Classified Service" Memo to the Civil Service Commission from the Personnel Director, dated March 26, 1999.
3. "Request to Exempt on Assistant Investment Officer Position from the Classified Service" Memo to the Civil Service Commission via the Personnel Director from the SDCERS Retirement Administrator, dated March 9, 1999.
4. "Fourth Quarter Budget Adjustment - Investment Staffing" Memo from the Retirement Administrator to the SDCERS Retirement Board via Business and Procedures Committee, dated January 12, 1999.
5. Minutes from the SDCERS Retirement Board meeting on January 22, 1999.

NOTE: See Item 200 on the regular docket of Monday, April 19, 1999, for the first public hearing. Today's action is the second public hearing and introduction and adoption of the ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A048-054.)

CONSENT MOTION BY STEVENS TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331: Street Vacation of a Portion of Saint Andrews Terrace.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-910) ADOPTED AS RESOLUTION R-291511

Vacating Saint Andrews Terrace north of Saint Andrews Avenue per Map-12305; abandoning flood water storage easements and a drainage easement;

Declaring that this resolution shall not become effective unless and until the City Engineer approves the proposed Parcel Map. In the event the map is not filed within three years following the adoption of this resolution, this resolution shall become void and be of no further force or effect;

Declaring that this resolution shall not become effective unless and until the existing street opening shall be replaced with standard curb, gutter and sidewalk satisfactorily to the City Engineer. An improvement bond shall be filed with the Planning and Development Review Department according to an approved estimate;

Declaring that the City Engineer shall advise the City Clerk of the completion of the above conditions.

CITY MANAGER SUPPORTING INFORMATION:

Brown Field Business Park LP has requested the vacation of Saint Andrews Terrace which is located in the Otay Mesa Planning Area. The street vacation is part of a plan to develop this industrial site by consolidating the existing nine lots into three larger lots and providing for private access. The total area to be vacated is 0.6 acre which will be consolidated with the existing 15.89 acre site by a Final map to form a developable site of 16.49 acres within the proposed three lots. The existing street opening will be replaced with standard curb and gutter. The Otay Planning group supports this action. {Vote 11-0-0}

FINDINGS: Staff recommends the proposed street vacation and feels that summary proceedings can be used in that the street to be vacated is a cul-de-sac lying within one ownership and that the four required findings under Council Policy 600-15 can be made:

1. There is no current or prospective public use for the existing right-of-way.
2. The public will benefit from the vacation through improved utilization of the land.
3. The vacation is consistent with the General Plan or any approved Community Plan.
4. The facility for which the right-of-way was originally dedicated will not be adversely affected since no facilities were built.

Development Services Recommendation: Approval of this request.

FILE LOCATION: STRT - J-2896 (39)

COUNCIL ACTION: (Tape location: A048-054.)

Hearing began at 11:10 a.m. and halted at 11:12 a.m.

Mayor Golding opened and closed the hearing.

CONSENT MOTION BY STEVENS TO ADOPT THE RESOLUTION. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332: Presentation of a Special Energy Star Building Award for the Ridgehaven Building.

TODAY'S ACTION IS: PRESENTATION MADE

Presentation to Mayor Susan Golding of a Special Energy Star Building Award from Felicia Marquez, United States Environmental Protection Agency (EPA) Region 9 Administrator, for the Ridgehaven Building.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B005-234.)

NON-DOCKET ITEMS:

None.

CLOSED SESSION ACTION:

ITEM-CS-1: (R-99-1150) ADOPTED AS RESOLUTION R-291512

A Resolution adopted by the City Council in Closed Session on April 20, 1999:

Authorizing the City Manager to execute, for and on behalf of the City, an agreement with the Barrington Consulting Group, Inc., for as-needed expert witness services for the Metropolitan Wastewater Department, under the terms and conditions set forth in the Letter Agreement dated March 1, 1999, on file in the office of the City Clerk as Document No. RR-291512; authorizing the expenditure of an amount not to exceed \$542,250 from Fund No. 41509, Operations & Maintenance Fiscal Year 1999 Budget, solely and exclusively to provide funds for the above agreement.

Aud. Cert. 9901082

FILE LOCATION: MEET

ITEM-CS-2: (R-99-1188) ADOPTED AS RESOLUTION R-291513

A Resolution adopted by the City Council in Closed Session on April 20, 1999:

Authorizing the City Manager to pay the sum of \$45,000 in the settlement of each and every claim against The City of San Diego, its agents and employees, in United States District Court Case No. 97-CV-0840 RMB (LAB), resulting from personal injury/property damage to Jerry Allen; authorizing the City Auditor and Comptroller to issue one check in the amount of \$45,000, made payable to Jerry L. Allen in full settlement of all claims.

Aud. Cert. 9901097

FILE LOCATION: MEET

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ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 2:26 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B235).